

PATENT  
ATTORNEY DOCKET NO.: 47038.0217/00US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
John P. CARULLI et al. ) Confirmation No.: 5366  
Application No.: 10/731,739 ) Group Art Unit: 1636  
Filed: December 10, 2003 ) Examiner: Celine X. Qian, Ph.D.  
For: HIGH BONE MASS GENE OF 11q13.3 )

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Window, MAIL STOP AMENDMENT  
Randolph Building  
Alexandria, VA 22314

Sir:

**RESPONSE TRANSMITTAL FORM**

1. Transmitted herewith is a Reply and Amendment dated June 8, 2006, responding to the Office Action dated April 20, 2006.
2. Additional papers enclosed:
  - ☐ Revocation and New Power of Attorney and Change of Correspondence Address; and
  - ☒ Fee Transmittal.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: \$120.00.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))		minus			x \$50 each =	+ 0.00
Independent Claims (37 C.F.R. §1.16(b))		minus			x \$200 each =	+ 0.00
[ ] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0.00
SUB-TOTAL =						.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

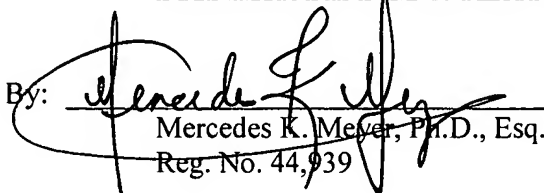
- ☒ Enclosed is Check No. \_\_\_\_\_ in the amount of \$ 120.00 .
- ☐ The Commissioner is hereby authorized to charge Deposit Account No. 50-0573 in the amount of \_\_\_\_\_.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

**DRINKER BIDDLE & REATH LLP**

Dated: June 8, 2006

By:

  
Mercedes K. Meyer, Ph.D., Esq.  
Reg. No. 44,939

**Customer No. 055694**

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FEE TRANSMITTAL for FY 2005		Complete if known			
Patent fees are subject to annual revision.		Application Number	10/731,739		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	December 10, 2003		
TOTAL AMOUNT OF PAYMENT (\$120.00)		First Named Inventor	John P. CARULLI et al.		
METHOD OF PAYMENT (check all that apply)		Examiner Name	Celine X. Qian, Ph.D.		
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		Art Unit	1636		
<input type="checkbox"/> Deposit Account: Deposit Account Number <u>50-0573</u> Deposit Account Name <u>Drinker Biddle &amp; Reath LLP</u>		Attorney Docket No.	47038.0217/00US		
The Director is authorized to: (check all that apply)		FEE CALCULATION (continued)			
<input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments		ADDITIONAL FEES			
<input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 and 1.17					
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.					
FEE CALCULATION					
EXTRA CLAIMS FEES FOR UTILITY AND REISSUE					
Total Claims * -20** = 0 X * = \$0					
Independent Claims * - 3** = 0 X * = \$0					
Multiple Independent + 360/180 = \$0					
FEE CALCULATION					
Large Fee Code Entity Fee (\$)					
Small Fee Code Entity Fee (\$)					
Fee Description					
1202 50 2202 25 Claims in excess of 20					
1201 200 2201 100 Independent claims in excess of 3					
1203 360 2203 180 Multiple dependent claim, if not paid					
1204 200 2204 100 **Reissue independent claims over original patent					
1205 50 2205 25 **Reissue claims in excess of 20 and over original patent					
**or number previously paid, if greater; For Reissue, see above					
SUBMITTED BY CUSTOMER NO. 55694		Complete (if applicable)			
Name (Print/Type)	Mercedes K. Meyer, Ph.D., Esq.	Registration No. (Attorney/Agent)	44,939	Telephone	202-842-8800
Signature		Date	June 8, 2006		